

**UNITED STATES COURT OF APPEALS**  
**TENTH CIRCUIT**

**MAR 13 2000**

**PATRICK FISHER**  
Clerk

BETTY LOUISE HOOKS,

Plaintiff-Appellant,

v.

STATE OF COLORADO,

Defendant-Appellee.

No. 99-1503  
(D.C. No. 99-Z-1613)  
(D. Colo.)

**ORDER AND JUDGMENT\***

Before **SEYMOUR**, Chief Judge, **EBEL** and **BRISCOE**, Circuit Judges.

Hooks filed a pro se complaint in the United States District Court for the District of Colorado. In response to an order of the magistrate judge finding that the original complaint failed to comply with the pleading requirements of Federal Rule of Civil Procedure 8(a), Hooks amended the complaint. The district court dismissed the amended complaint without prejudice because the amended

---

\*After examining appellant's brief and the appellate record, this panel has determined unanimously that oral argument would not materially assist the determination of this appeal. See Fed. R. App. P. 34(a)(2) and 10th Cir. R. 34.1(G). The case is therefore ordered submitted without oral argument. This Order and Judgment is not binding precedent, except under the doctrines of law of the case, res judicata, and collateral estoppel. The court generally disfavors the citation of orders and judgments; nevertheless, an order and judgment may be cited under the terms and conditions of 10th Cir. R. 36.3.

complaint also failed to comply with Rule 8(a). Hooks attempts to appeal from this dismissal. The district court denied leave to appeal in forma pauperis. See 28 U.S.C. § 1915(a)(3).

We review a Rule 8(a) dismissal for an abuse of discretion. See Williams v. City of Colorado Springs, No. 98-1417, 1999 WL 235930, at \*1 (10th Cir. April 22, 1999) (unpublished); Atkins v. Northwest Airlines, Inc., 967 F.2d 1197, 1203 (8th Cir. 1992). We have carefully reviewed the pleadings before the district court as well as Hooks' submissions on appeal and conclude that the district court did not abuse its discretion. Rule 8(a)(2) requires a short and plain statement of the claim showing that the plaintiff is entitled to relief. The amended complaint fails to meet this requirement because it does not sufficiently identify the events that give rise to Hooks' claim or the applicable legal theories.

The motion to proceed in forma pauperis is DENIED, and the appeal is DISMISSED.

The mandate shall issue forthwith.

ENTERED FOR THE COURT

David M. Ebel  
Circuit Judge